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December 18, 2007

AGENDA ITEM 5

TO: MEMBERS OF THE AD HOC BOARD MEMBER ELECTIONS COMMITTEE

- I. SUBJECT:** Board Member Elections Process – Schedule Compression
- II. PROGRAM:** Administration
- III. RECOMMENDATION:** Staff recommends adjusting the current Board election schedule from 13 months to 10 months.

IV. ANALYSIS:

At the conclusion of the August 10, 2007, Board Member Elections Committee meeting, the Chair directed staff to conduct further analysis and recommendations for the conduct of future Board Member elections (Item 4, sub-item 6) specifically related to:

- Election Schedule Options
- Options to Shorten Election Schedule, Regardless of the Voting Method

Election Schedule Options

As a result of the Chair's direction, the Operations Support Services Division conducted an in-depth analysis of the current election schedule.

The analysis included conducting a step-by-step critical review of dates required by statutes and regulations, a discussion of vendor possibilities and restrictions, and implications of various schedule compression scenarios.

The review and analysis show that the schedule (which includes initial Board involvement to the results of a runoff election, if necessary) can be shortened by three months. The proposed schedule compression change includes:

- Moving the approval of the Notice of Election (NOE) agenda item forward from the November to the February Board meeting. The NOE contains the proposed schedule of events, (Attachment 1). Because this alternative delays the Board's approval of the NOE three months and the current schedule allowed only two months for contingencies, additional schedule changes are required to meet the required date to have a candidate seated. The additional month is achieved by also approving the following:
 - Equalizing the voting period for both the first election and the runoff election to four weeks each (Attachment 2).
 - Requiring that Candidate Nomination Petitions, the Nomination Acceptance/Ballot Designation forms and Candidate Statements be presented together (Attachment 3).

As a result of these adjustments, the proposed overall time to conduct an election (from the first Board involvement until the completion of a runoff election, if needed), is reduced from thirteen months to ten months.

In order to accommodate the changes in the proposed schedule, time periods built into the current schedule to address contingencies have been removed. Should significant unforeseen events occur which are out of the control of CalPERS, the January 16 deadline to seat the newly elected Board member could be in jeopardy. For example, in 2002 litigation required the revamping of the election schedule. Because of the nature of the changes required and the periods build into the schedule to accommodate such events, the newly elected Board member was seated by the deadline. Since that time, however, no serious events have occurred to threaten the schedule.

Areas Considered and Eliminated From Consideration

In the analysis of alternatives to compress the schedule, other options were considered but were eliminated for various reasons. Those opinions considered and eliminated included:

AREA CONSIDERED	REASON ELIMINATED
Eliminate the "hold" period designated for the candidate statement arbitration processes.	The regulation, effective 1/16/2002, requires holding the period open (Title 2 California Code of Regulations Section 554.4).
Change the date of the random drawing for the order of candidate names on the ballot.	Changing the date of the drawing would not compress the schedule.
Begin and end the election process earlier in the year.	Earlier election processes almost always place the voting period during

	summer months, a time when many of the System's eligible voting members are not available to vote.
Reduce the proposed time for presentation of the Nomination Petitions, Candidate Statements and Nomination Acceptance documents by two weeks.	Reduces the time that potential candidates have to obtain signatures in support of their nomination.

V. STRATEGIC PLAN:

This item is not a specific product of the Strategic or Annual Plans but is part of the regular and ongoing workload of CalPERS.

VI. RESULTS/COSTS:

Costs vary widely depending on the election cycle. Compressing the election schedule could require having the vendor order materials in advance of knowing whether a runoff election is required. There could be additional costs associated with this if a runoff is subsequently not required.

VII. ATTACHMENTS:

The following attachments represent Schedule Compression Proposals:

- Attachment 1 Obtain Board Approval of the Notice of Election Later
- Attachment 2 Equalize the Voting Periods
- Attachment 3 Change the Due Date for the Nomination Acceptance, Ballot Designation and Candidate Statement

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